

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

AUDUBON SOCIETY OF PORTLAND, )  
AUDUBON SOCIETY OF GREATER )  
DENVER, CENTER FOR BIOLOGICAL )  
DIVERSITY; and THE NEW MEXICO )  
AUDUBON COUNCIL, non-profit )  
corporations, )

Plaintiffs, )

vs. )

UNITED STATES FISH AND WILDLIFE )  
SERVICE, )

Defendant. )

vs. )

NORTH AMERICAN FALCONERS )  
ASSOCIATION (NAFA), STATE OF )  
WYOMING, STATE OF ARIZONA, *ex rel.* )  
*The Arizona Game and Fish Commission* )  
*and the Arizona Game and Fish* )  
*Department,* )

Intervenor-Defendants, )

Case No. 04-670-KI

ORDER

Daniel J. Rohlf  
Susan Jane M. Brown  
Pacific Environmental Advocacy Center  
10015 S. W. Terwilliger Blvd.  
Portland, Oregon 97219

Attorneys for Plaintiffs

Karin J. Immergut  
United States Attorney  
Steve O'Dell  
Assistant United States Attorney  
Mark O. Hatfield United States Courthouse  
1000 S. W. Third Avenue, Suite 600  
Portland, Oregon 97204-2902

Kelly A. Johnson  
Acting Assistant Attorney General  
Lori Caramanian  
U. S. Department of Justice  
Environment and Natural Resources Division  
General Litigation Section  
999 18th Street, Suite 945 NT  
Denver, Colorado 80202

Attorneys for Defendants

Brian J. King  
Schwabe Williamson & Wyatt, P. C.  
1600-1900 Packwest Center  
1211 S. W. Fifth Avenue  
Portland, Oregon 97204

Faith Kalman Reyes  
Frank M. Bond  
Simons & Slattery, LLP  
P. O. Box 5333  
Santa Fe, NM 87502-5333

Susanne LaCampagne  
Miller Nash LLP  
111 S. W. Fifth Avenue, Suite 3400  
Portland, Oregon 97204-3699

Jay A. Jerde  
C. Levi Martin  
Office of the Wyoming Attorney General  
123 State Capitol  
Cheyenne, WY 82002-0001

Attorney for Defendant-Intervenors

KING, Judge:

Defendant Intervenors NAFA's and Wyoming's Joint Motion to Strike Plaintiffs' Declaration and Documents (#84) is granted in part. Federal Defendant's Motion to Strike (#89) is granted in part. Plaintiffs' Motion for Summary Judgment (#51) is denied. Intervenor-Defendant State of Wyoming's Motion for Summary Judgment (#60), Cross Motion for Summary Judgment by Defendant/Intervenor State of Arizona (#63), Federal Defendants' Motion for Summary Judgment (#71), and Defendant-Intervenor NAFA's Cross Motion for Summary Judgment (#73) are all granted. This action is dismissed with prejudice.

IT IS SO ORDERED.

Dated this 21st day of July, 2005.

/s/ Garr M. King  
Garr M. King  
United States District Judge